

AMENDED CLAIMS

What is claimed is:

Claims 1 through 8 are hereby cancelled.

9. Ramp apparatus for facilitating the movement of a bed up to and down from the surface of a bed, the apparatus comprising:

a ramp member of sufficient length to extend from a point near the surface of a bed down to the floor at an angle suitable for permitting easy movement up or down by a pet;

said ramp member having, at its upper end, apparatus for pivotally joining and securing said ramp to a platform, said platform being further supported at a height near the height of an adjacent bed by an elbow joint apparatus which may be secured to a leg or other stable portion of the frame of an adjacent bed;

said elbow joint apparatus further comprising an upper elbow member, said upper member extending up to support the lower surface of said platform, a joining elbow member, said joining elbow member receiving the lower end of said upper elbow member and turning through an angle of about 90 degrees, and a lower elbow member, said lower elbow member being received by the other end of said elbow joining member at one end and being received by a bed support member on the other end, said bed support member being securely fastened to a stable portion of the bed frame support structure by means of a bed frame mount apparatus;

said platform being further adapted between the mattress and box spring or between the mattress and a flat surface upon which said mattress is positioned with a bed support apparatus, said bed support apparatus further comprising a plate member which is pivotally attached to said ramp, said plate being of sufficient length to extend from said pivotal joint to said ramp of a sufficient length beneath said mattress to provide stability and support to said ramp.

10. The ramp apparatus described in claim 9 in which the surface of said ramp is further adapted with a material for facilitating traction and stability of a pet moving up or down said ramp.

11. The ramp apparatus described in claim 9 in which said ramp surface is made of plastic which is roughened for the provision of traction.

12. The ramp apparatus described in Claim 9 for permitting a pet to climb upon a bed, the apparatus further being adapted to remain in place without disturbing the arrangement of a comforter or other bedspread, the apparatus further comprising:

a ramp member of sufficient length to extend from a point near the surface of a bed down to the floor at an angle suitable for permitting easy movement up or down by a small pet;

said ramp member having, and its upper end, apparatus for securing said ramp between the mattress and box spring or between the mattress and a flat surface upon which said mattress is positioned, said apparatus further comprising a plate which is

pivotally joined to said ramp with a pivotal joint, said plate being of sufficient length to extend from said pivotal joint to said ramp a sufficient length beneath said mattress to provide stability and support to said ramp;

said ramp further being adapted with a surface for facilitating traction and stability of a pet moving up or down said ramp;

said ramp member further comprising, at its upper hand, a U-shaped member along the ramp surface, said U-shaped member running perpendicular to the plane of the ramp surface and generally downward from said ramp surface and defining a space of sufficient width to permit a bedspread or comforter to pass within and said U-shaped member being of sufficient depth to accommodate the overhang of said bedspread or comforter;

said pivotal support member being further adapted to be fixed upon the outer surface of said U-shaped member.

13. The ramp apparatus described in claim 9 in which said lower elbow member is adapted to snap into and out of a receiving snap member on said bed frame mounting apparatus.

14. The ramp apparatus described in claim 13 in which the surface of said ramp is further adapted with a material for facilitating traction and stability of a pet moving up or down said ramp.

15. The ramp apparatus described in claim 13 in which said ramp surface is

made of plastic which is roughened for the provision of traction.

16. The ramp apparatus described in Claim 13 for permitting a pet to climb upon a bed, the apparatus further being adapted to remain in place without disturbing the arrangement of a comforter or other bedspread, the apparatus further comprising:

a ramp member of sufficient length to extend from a point near the surface of a bed down to the floor at an angle suitable for permitting easy movement up or down by a small pet;

said ramp member having, and its upper end, apparatus for securing said ramp between the mattress and box spring or between the mattress and a flat surface upon which said mattress is positioned, said apparatus further comprising a plate which is pivotally joined to said ramp with a pivotal joint, said plate being of sufficient length to extend from said pivotal joint to said ramp a sufficient length beneath said mattress to provide stability and support to said ramp;

said ramp further being adapted with a surface for facilitating traction and stability of a pet moving up or down said ramp;

said ramp member further comprising, at its upper end, a U-shaped member along the ramp surface, said U-shaped member running perpendicular to the plane of the ramp surface and generally downward from said ramp surface and defining a space of sufficient width to permit a bedspread or comforter to pass within and said U-shaped member being of sufficient depth to accommodate the overhang of said

bedspread or comforter;

said pivotal support member being further adapted to be fixed upon the outer surface of said U-shaped member.

17. (New Claim) Ramp apparatus for permitting a pet to climb upon or down from the surface of a bed, said ramp apparatus further being adapted to remain in place without disturbing the arrangement of a comforter or other bedspread, the apparatus further comprising:

a ramp member of sufficient length to extend from a point near the surface of a bed down to the floor at an angle suitable for permitting easy movement up or down by a small pet;

said ramp member having, and its upper end, apparatus for securing said ramp between the mattress and box spring or between the mattress and a flat surface upon which said mattress is positioned, said apparatus further comprising a plate which is pivotally joined to said ramp with a pivotal joint, said plate being of sufficient length to extend from said pivotal joint to said ramp a sufficient length beneath said mattress to provide stability and support to said ramp;

said ramp further being adapted with a surface for facilitating traction and stability of a pet moving up or down said ramp;

said ramp member further comprising, at its upper end, a U-shaped member along the ramp surface, said U-shaped member running perpendicular to the plane of

the ramp surface and generally downward from said ramp surface and defining a space of sufficient width to permit a bedspread or comforter to pass within and said you member being of sufficient depth to accommodate the overhang of said bedspread or comforter;

said pivotal support member being further adapted to be fixed upon the outer surface of said U-shaped member.

18. (New claim) The ramp apparatus described in claim 17 in which said surface of said ramp for facilitating traction further comprises a surface material for facilitating traction and stability of a pet moving up or down said ramp.

19. (New claim) The ramp apparatus described in claim 17 in which said said surface of said ramp for facilitating traction further comprises plastic which is roughened for the provision of traction.

20. (New claim) Ramp apparatus for permitting a pet to climb upon a bed, the apparatus being adapted to remain in place without disturbing the arrangement of a comforter or other bedspread, the apparatus further comprising:

a ramp member of sufficient length to extend from a point near the surface of a bed down to the floor at an angle suitable for permitting easy movement up or down by a small pet;

said ramp member having, at its upper end, apparatus for pivotally joining and securing said ramp to a platform, said platform being further supported at a height

near the height of an adjacent bed by three or more adjustable legs;

said platform being further adapted for support from between the mattress and box spring or between the mattress and a flat surface upon which said mattress is positioned by means of a bed support apparatus, said bed support apparatus further comprising a plate member which is attached to said platform, said plate being of sufficient length to extend from said pivotal joint to said ramp of a sufficient length beneath said mattress to provide stability and support to said ramp;

said ramp member having, and its upper end, apparatus for securing said ramp between the mattress and box spring or between the mattress and a flat surface upon which said mattress is positioned, said apparatus further comprising a plate which is pivotally joined to said ramp with a pivotal joint, said plate being of sufficient length to extend from said pivotal joint to said ramp a sufficient length beneath said mattress to provide stability and support to said ramp;

said ramp further being adapted with a surface for facilitating traction and stability of a pet moving up or down said ramp;

said ramp member further comprising, at its upper hand, a U-shaped member along the ramp surface, said U-shaped member running perpendicular to the plane of the ramp surface and generally downward from said ramp surface and defining a space of sufficient width to permit a bedspread or comforter to pass within and said U-shaped member being of sufficient depth to accommodate the overhang of said

bedspread or comforter;

said pivotal support member being further adapted to be fixed upon the outer surface of said U-shaped member.

21. (New claim) The ramp apparatus described in claim 20 in which said surface of said ramp for facilitating traction further comprises a surface material for facilitating traction and stability of a pet moving up or down said ramp.

22. (New claim) The ramp apparatus described in claim 22 in which said said surface of said ramp for facilitating traction further comprises plastic which is roughened for the provision of traction.

Veterans' Reemployment Rights Act (38 USC Sections 4301-4334). Such provides that mobilized members of the Army Reserve and National Guard who are called to extended mobilizations MUST be restored to their employment and all rights and benefits at the time of mobilization and given a period of time for readjustment, depending upon the length of the mobilization. In particular, the Servicemembers' Relief Act provides:

SEC. 2. <<NOTE: 50 USC app. 502.>> PURPOSE.

``The purposes of this Act are--

``(1) to provide for, strengthen, and expedite the national defense through protection extended by this Act to servicemembers of the United States to enable such persons to devote their entire energy to the defense needs of the Nation; and

``(2) to provide for the temporary suspension of judicial and administrative proceedings and transactions that may adversely affect the civil rights of servicemembers during their military service.

Other sections of this act set forth that it is applicable to the undersigned (Sec. 101(1), this situation (2), and the USPTO (3)). This is reinforced by Sec. 102, 106, and 706 of the Act. Similarly, the Reemployment Rights Act, Chapter 38, United States Code, has as a statutory purpose the protection of the livelihoods of service members who are called to active service. In particular, this act provides:

Sec. 4301. - Purposes; sense of Congress

(a)The purposes of this chapter are -

- (1) to encourage noncareer service in the uniformed services by eliminating or minimizing the disadvantages to civilian careers and employment which can result from such service;
- (2) to minimize the disruption to the lives of persons performing service in the uniformed services as well as to their employers, their fellow employees, and their communities, by providing for the prompt reemployment of such persons upon their completion of such service; and
- (3) to prohibit discrimination against persons because of their service in the uniformed services.

(b) It is the sense of Congress that the Federal Government should be a model employer in carrying out the provisions of this chapter.

Accordingly, these provisions of federal law are meant to minimize disruption to both the service member employees and to their employers from all forms of prejudice, including that resulting from the legal obligations of the courts.

4. While on active duty, albeit involuntarily, the undersigned was not permitted to represent clients before the USPTO. This would constitute a conflict of interest. A copy of my orders and a declaration of my status are available. To require the applicant to hire new counsel would penalize him by requiring a substantial outlay of time for new counsel to learn and understand the invention and the prior art and require them to devote additional time to the process as well. This would also be contrary to the purposes of the protective statutes, which express an intent to minimize the disruption to others as well as the mobilized service member. This would

also result in forcing me, the service member, to divest myself of employment and would penalize me for my military service in the civilian world upon my return.

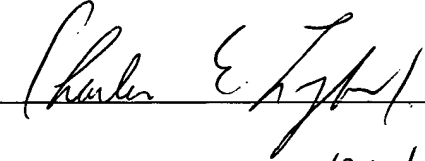
5. Having taken a short period of recuperation, I am now in the process of reviewing the months of correspondence related to my practice and in the business of regenerating my practice. Such delay is neither inordinate nor unreasonable in light of the provisions and importance of these protections to the defense of the nation as well as the lives and interests of the parties. I have tendered a fee in the amount of the Petition (1.17(h)) plus a 3 month extension (1.17(a)(3)). I respectfully request that the 3 month extension fee not be assessed as a fee in light of the protections intended by the above acts and as a matter of fairness and that such amount be reserved for application to an issue fee, if appropriate, or refunded. The Petitioner verily believes that 37 CFR Sect. 1.103(a) to be most applicable to this matter and verily believes that the attached declaration and legal authorities establish good cause. Applicant does, nonetheless, request consideration under any other provision which would be deemed appropriate by the Commissioner, or, alternatively, request an opportunity to correct any deficiency of this request or, alternatively, request an opportunity to answer any objection or further inquiry of the Commissioner with respect to the

consideration of this Petition under any authority or provision of law or regulation.

WHEREFOR the Petitioner respectfully petitions the Commissioner suspend or waive extension fees in the above-styled patent application.

Respectfully Submitted.

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